

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 1:24-CV-21463-ALTMAN/SANCHEZ

NEREYDA SUHEY CASTILLO MARENCO,

Plaintiff,

vs.

J.C. PAINTING CONTRACTOR
LLC, MARIA GONZALEZ, AND
TOMAS GONZALEZ,

Defendants.

_____ /

**NOTICE OF ACCEPTANCE
OF RULE 68 OFFER OF JUDGMENT – COUNT I**

Plaintiff, Nereyda Suhey Castillo Morenco, notifies the Defendants, J.C. Painting Contractor LLC, Maria Gonzalez, and Tomas Gonzalez, that the Offer of Judgment served on her on July 11, 2024, under Fed. R. Civ. P. 68 is accepted:

Plaintiff agrees to accept the Defendants' offer to allow a judgment to be entered in her favor and against the Defendants, jointly and severally, for 1) one payment of \$12,500.00 to Plaintiff as alleged unpaid overtime wages, to be made payable to Plaintiff, with all applicable taxes and withholdings deducted from the gross amount of the payment; and 2) one payment of \$12,500.00 to Plaintiff as alleged liquidated damages, to be made payable to Plaintiff, with no taxes or withholdings deducted from the gross amount of the payment.

Plaintiff further agrees to accept the Defendants' offer that she be determined the prevailing party on Count I and entitled to recover her attorney's fees and costs from them, jointly and severally, under the FLSA, 29 U.S.C. §216, to be made in one payment to Plaintiff's counsel, and

in an amount to be negotiated by the Parties or, if they cannot reach an agreement thereon, to be determined by the Court.

Plaintiff will hereafter notify the Clerk of Courts of the service of the Rule 68 Offer of Judgment as to Count I and this Notice of Acceptance to request the issuance of a judgment in her favor on Count I consistent with the above. *See* Fed. R. Civ. P. 68(a) (“If, within 14 days after being served, the opposing party serves written notice accepting the offer, either party may then file the offer and notice of acceptance, plus proof of service. The clerk must then enter judgment.”)

CERTIFICATE OF SERVICE

HEREBY CERTIFY that a true and correct copy of the foregoing was emailed on this 16th day of July 2024 to Todd W. Shulby, Esq., TODD W. SHULBY, P.A., as *Counsel for Defendants*, tshulby@shulbylaw.com, 1792 Bell Tower Ln, Weston, FL 33326.

s/Brian H. Pollock, Esq.
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